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the requirements of part D as amended by the CAAA of 1990.

[45 FR 10775, Feb. 19, 1980, as amended at 61 FR 5694, Feb. 14, 1996]

§52.1027 Rules and regulations.

- (a) Part D—Conditional Approval.
- (b) Non-Part D—No Action. EPA is neither approving nor disapproving the following elements of the revisions identified in §52.1020(C)(10):
 - (1) Intergovernmental consultation.
- (2) Interstate pollution notification requirements.
 - (3) Public notification requirements.
 - (4) Conflict of Interest requirements.
 - (5) Permit fees.

 $[45\ FR\ 10775,\ Feb.\ 19,\ 1980,\ as\ amended\ at\ 45\ FR\ 59314,\ Sept.\ 9,\ 1980]$

§52.1028 [Reserved]

§52.1029 Significant deterioration of air quality.

The program to review operation and construction of new and modified major stationary sources in attainment areas is approved as meeting the requirements of Part C.

[45 FR 6786, Jan. 30, 1980]

§ 52.1030 Control strategy: Sulfur oxides.

(a) The revision to Regulation 100.6 (Chapter 106) "Low Sulfur Fuel Regulation" for the Metropolitan Portland Air Quality Control Region, submitted by the Governor of Maine on August 25, 1977, is approved with the exception of paragraph 100.6.5(b) which allows the Commissioner of the Department of Environmental Protection to grant variances to Regulation 100.6.

[47 FR 948, Jan. 8, 1982]

§ 52.1031 EPA-approved Maine regulations.

The following table identifies the State regulations which have been submitted to and approved by EPA as revisions to the Maine State Implementation Plan. This table is for informational purposes only and does not have any independent regulatory effect. To determine regulatory requirements for a specific situation consult the plan identified in §52.1020. To the extent that this table conflicts with §§52.1020, 52.1020 governs.

TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS

State cita- tion	Title/Subject	Date adopted by State	Date ap- proved by EPA	FEDERAL REG- ISTER citation	52.1020	
Chapter:						
1	Regulations for the Processing of Applications	02/08/84	03/23/93	58 FR 15430	(c)(26)	Portions of chapter 1.
100		5/7/79	1/3/80	45 FR 6784	(c)(10)	PSD Plan Only.
100	Definitions Regula- tions.	12/24/79	2/19/80	45 FR 10766		,
		2/6/80				
100	Definitions	10/3/89	3/23/93	58 FR 15430		All except for the definition of VOC in chapter 100(76). Note that this definition is approved in another paragraph below. In addition, Maine withdrew the definition of fuel burning equipment in chapter 100(29) from its SIP submittal. This definition is approved in another paragraph below.
					(c)(27)	Approval of definition of VOC in chapter 100(76) only.
100	Definitions Regula- tions.	11/26/91	6/21/93	58 FR 33768	(c)(31)	Revised "volatile organic compound (VOC)" and "federally enforceable." Added "particulate matter emissions" and "PM ₁₀ emissions."

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TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS—Continued

	TABLE 52.1031	1—EPA-AF	PROVED R	ULES AND REGU	LATIONS-	Continued
State cita- tion	Title/Subject	Date adopted by State	Date ap- proved by EPA	FEDERAL REG- ISTER citation	52.1020	
100	Definitions	7/10/90	3/18/94	59 FR 12855	(c)(29)	Changes to the following defi- nitions: Actual emissions, baseline concentration and fuel burning equipment in Chapter 100(1), (9), and (29).
100	Definitions	1/6/93	6/17/94	59 FR 31157	(c)(33)	Revised to add definitions associated with VOC RACT rules.
100	Definitions	11/10/93	1/10/95	60 FR 2526	(c)(34)	Revised to add definitions associated with emission statement rules.
100	Definitions	6/22/94	6/29/95	60 FR 33734	36	Gasoline marketing definitions added
100	Definitions Regulation	6/22/94	2/14/96	61 FR 5694	(c)(37)	Addition of 1990 Part D NSR and other CAAA requirements.
100 100	Definitions Definitions	7/19/95 12/1/2005	10/15/96 11/21/07	61 FR 53639 72 FR 65462	(c)(42) (c)(62)	Definition of "VOC" revised. Revised to add definitions as- sociated with SIP submit- tals made between 7/19/95 and 12/1/05.
101 102	Visible Emissions Open Burning	10/10/79 1/31/72	2/17/82 5/31/72	47 FR 6829 37 FR 10842	(c)(17) (b)	
102	Open Burning	3/17/05	2/21/08	73 FR 9459	(c)(61).	
103	Fuel Burning Equip- ment Particulate Emission Standard.	1/31/72	5/31/72	37 FR 10842	(b)	
104	Incinerator Particulate	1/24/83 1/31/72	2/26/85 5/31/72	50 FR 7770 37 FR 10842	(c)(19) (b)	
	Emission Standard. General Process	1/01/70	E/04/70	07 FD 10040		
105	Source Particulate Emission Standard.	1/31/72	5/31/72	37 FR 10842	(b)	
106	Low Sulfur Fuel	1/31/72 2/08/78	5/31/72 1/8/82	37 FR 10842 47 FR 947	(b) (c)(15)	Revised limits for Portland Peninsula only.
107	Sulfur Dioxide Emis- sion Standards for Sulfite Pulp Mills.	1/31/72	5/31/72	37 FR 10842	(b)	
109	Emergency Episode Regulation.	1/31/72	5/31/72	37 FR 10842	(b)	
109	Emergency Episode Regulation.	8/14/91	1/12/95	60 FR 2887	(c)(28)	Revisions which incorporate the PM10 alert, warning, and emergency levels.
110	Ambient Air Quality Standards.	5/7/79	1/30/80	45 FR 6784	(c)(10)	and omorganity levels.
110	Ambient Air Quality Standards.	10/25/89	3/23/93	58 FR 15430	(c)(26)	All of chapter 110 except for chapter 110(2) which is approved in another paragraph, below. Note that Maine did not submit its Chromium standard in chapter 110(12) for approval.
110	Ambient Air Quality Standards.	7/10/90	3/18/94	59 FR 12855	(c)(27) (c)(29)	Chapter 110(2) only. Addition of NO₂ increments for class I and II areas in Chapter 110(10). Note that class III increment in Chap- ter 110(10)(C)(3) is not part
110	Ambient Air Quality Standards.	7/24/96	3/22/04	69 FR 13231	(c)(52)	of submittal. Adopts PSD increments based on PM10, in place of increments based on TSP.
111	Petroleum Liquid Storage Vapor	5/7/79	2/19/80	45 FR 10766	(c)(11)	increments based on 15P.
	Control.	9/27/89	2/3/92	57 FR 3948	(c)(30).	

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TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS—Continued

	TABLE 32.1031	— LI A-AF	FROVEDIT	OLES AND TIEGO	LATIONS—	
State cita- tion	Title/Subject	Date adopted by State	Date ap- proved by EPA	FEDERAL REG- ISTER citation	52.1020	
112	Petroleum Liquids Transfer Recovery.		2/19/80	45 FR 10766	(c)(11).	
		5/7/79	3/5/82	47 FR 9462	(c)(16)	Irving Oil, Searsport exempt- ed.
		7/22/86	2/2/87	52 FR 3117	(c)(22)	Bulk Gasoline Terminal Test methods.
		5/22/91	2/3/92	57 FR 3948	(c)(30)	The exemption for Irving Oil Corporation in Searsport, Maine incorporated by ref- erence at 40 CFR 52.1020(c)(16) is removed.
112	Petroleum liquids transfer recover.	6/22/94	6/29/95	60 FR 33734	36	Deleted exemption for tank trucks less than 3500 gallons.
112	Gasoline Bulk Termi- nals.	7/19/95	10/15/96	61 FR 53639	(c)(42)	Emission limit lowered from 80 mg/l to 35 mg/l.
113	Growth Offset Regulation.	5/7/79	2/19/80	45 FR 10766	(c)(11)	Part of New Source Review program.
113	Growth Offset Regulation.	12/18/85 10/25/89	12/23/86 3/23/93	51 FR 45886 58 FR 15430	(c)(21) (c)(26)	Deletes Thomaston.
113	Growth Offset Regulation.	7/10/90	3/18/94	59 FR 12855	(c)(29)	Change to Chapter 113(II)(A) to include NO ₂ .
113	Growth Offset Regulation.	6/22/94	2/14/96	61 FR 5694	(c)(37)	Addition of 1990 Part D NSR requirements.
114	Classification of Air Quality Control Regions.	5/7/79	1/30/80	45 FR 6874	(c)(10).	·
114	Designation of Air Quality Control Re- gions.	10/25/89	3/23/93	58 FR 15430	(c)(26)	All except for chapter 114(11) and (111) which are ap- proved in another para- graph below.
					(c)(27)	Chapter 114(11)and (111) only.
114	Classification of Air Quality Control Regions.	4/27/94	Aug. 30, 1995	60 FR 45060	(c)(40)	Revision to remove Presque Isle as nonattainment for PM ₁₀ .
115	Emission License Regulation	5/7/79	1/30/80	45 FR 6784	(c)(10)	PSD
		12/24/79 10/25/89	2/19/80 3/23/93	45 FR 10766 58 FR 15430	(c)(11) (c)(26)	New Source Review. Note Maine did not submit references to nonregulated pollutants for approval. Also note that this chapter was formerly chapter 108.
115	Emission License Regulation.	7/10/90	3/18/94	59 FR 12855	(c)(29)	Changes to Chapter 115(I)(B), (VII)(A), VII)(B)(3), and (VII)(D)(3) to remove Chapter 108 and to incorporate NO ₂ increments requirements.
115	Emission License Regulation.	6/22/94	2/14/96	61 FR 5694	(c)(37)	Addition of 1990 Part D NSR and other CAAA requirements.
116	Prohibited Dispersion Techniques	10/25/89	3/23/93	58 FR 15430	(c)(26).	
117 118	Source Surveillance Gasoline Dispensing Facilities.	8/9/88 6/22/94	3/21/89 6/29/95	54 FR 11525 60 FR 33734	24. 36	
		7/19/95	10/15/96	61 FR 53639	(c)(43)	Stage II vapor recovery requirements added.
119	Motor Vehicle Fuel Volatility Limit.	6/1/00	3/6/02	67 FR 10100	(c)(49)	Controls fuel volatility in the State. 7.8 psi RVP fuel re- quired in 7 southern coun- ties.
120	Gasoline Tank Trucks.	6/22/94	6/29/95	60 FR 33734	35	

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TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS—Continued

	TABLE 52.103		PROVED N	ULES AND NEGO	LATIONS—	Continued
State cita- tion	Title/Subject	Date adopted by State	Date ap- proved by EPA	FEDERAL REG- ISTER citation	52.1020	
123	Paper Coater Regulation.	9/27/89	2/3/92	57 FR 3949	(c)(30)	The operating permits for S.D. Warren of Westbrook, Eastern Fine Paper of Brewer, and Pioneer Plastics of Auburn incorporated by reference at 40 CFR § 52.1020 (c)(11), (c)(11), and (c)(18), respectively, are withdrawn.
126	Capture Efficiency Test Procedures.	5/22/91	3/22/93	58 FR 15282	(c)(32).	aro miliaranni
127	New Motor Vehicle Emission Stand- ards.	12/31/00	4/28/05	70 FR 21962	(c)(58)	Low emission vehicle pro- gram, with no ZEV require- ments. Program achieves 90% of full LEV benefits.
129	Surface coating Facilities.	1/6/93	6/17/94	59 FR 31157	(c)(33)	Includes surface coating of: Cans, fabric, vinyl, metal furniture, flatwood paneling, and miscellaneous metal parts and products.
130	Solvent Degreasers	1/6/93	6/17/94	59 FR 31157	(c)(33).	
130 131	Solvent Cleaners Cutback and	6/17/04 1/6/93	5/26/05 6/17/94	70 FR 30369 59 FR 31157	(c)(54). (c)(33).	
	Emulsified Asphalt.					
132	Graphic Arts: Roto- gravure and Flex- ography.	1/6/93	6/17/94	59 FR 31157	(c)(33).	
133	Gasoline Bulk Plants	6/22/94	6/29/95	60 FR 33734	36	
134	Reasonably Available Control Technology for Facilities that Emit Volatile Or- ganic Compounds.	2/8/95	4/18/00	65 FR 20753	(c)(45)	Regulation fully approved for the following counties: York, Sagadahoc, Cum- berland, Androscoggin, Kennebec, Knox, Lincoln, Hancock, Waldo, Aroos- took, Franklin, Oxford, and Piscataquis. Regulation granted a limited approval for Washington, Somerset, and Penobscot Counties.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Or- ganic Compounds.	2/25/97	4/18/00	65 FR 20753		VOC RACT determination for JJ Nissen Baking Com- pany.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Or- ganic Compounds.	7/23/97 10/27/97	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for Prime Tanning.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Or- ganic Compounds.	7/25/97	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for Portsmouth Naval Ship- yard.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Or- ganic Compounds.	12/5/96 10/20/97	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for Dexter Shoe.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Or- qanic Compounds.	6/16/97	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for Pioneer Plastics.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Or- ganic Compounds.	1/4/96	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for Georgia Pacific.

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TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS—Continued

	TABLE 52.1031	I—EPA-AP	PROVED H	ULES AND REGU	ILATIONS—	Continued
State cita- tion	Title/Subject	Date adopted by State	Date ap- proved by EPA	FEDERAL REG- ISTER citation	52.1020	
134	Reasonably Available Control Technology for Facilities that Emit Volatile Or- ganic Compounds.	1/18/96	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for Champion International.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Or- ganic Compounds.	10/4/95 12/13/95	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for International Paper.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Or- ganic Compounds.	12/8/95	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for James River.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Or- ganic Compounds.	12/18/95	4/18/00	65 FR 20754	(c)(45)	VOC RACT determination for Lincoln Pulp and Paper.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Or- ganic Compounds.	12/18/95	4/18/00	65 FR 20754	(c)(45)	VOC RACT determination for SD Warren Paper Com- pany's Westbrook, Maine facility.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Or- ganic Compounds.	10/4/95 1/9/96	4/18/00	65 FR 20754	(c)(45)	VOC RACT determination for SD Warren Paper Com- pany's Skowhegan, Maine facility.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Or- ganic Compounds.	12/20/95	4/18/00	65 FR 20754	(c)(45)	VOC RACT determination for Boise Cascade.
134	Reasonably available control technology for facilities that emit volatile organic compounds.	4/11/01	5/20/02	67 FR 35441	(c)(51)	VOC RACT determination for Bath Iron Works.
134	Reasonably available control technology for facilities that emit volatile organic compounds.	4/26/01 7/2/01	5/20/02	67 FR 35441	(c)(51)	VOC RACT determination for Pratt & Whitney.
134	Reasonably available control technology for facilities that emit volatile or- ganic compounds.	5/10/01	5/20/02	67 FR 35441	(c)(51)	VOC RACT determination for Moosehead Manufac- turing's Dover-Foxcroft plant.
	Reasonably available control technology for facilities that emit volatile organic compounds.	5/10/01	5/20/02	67 FR 35441	(c)(51)	VOC RACT determination for Moosehead Manufac- turing's Monson plant.
137	Emission Statements	12/17/04	11/21/07	72 FR 65462	(c)(62)	Revised to incorporate changes required by EPA's consolidated emissions reporting rule. The entire rule is approved with the exception of HAP and greenhouse gas reporting requirements which were not included in the state's SIP revision request.

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TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS—Continued

	TABLE 52.103	I—EPA-AF	PROVED R	ULES AND REGU	ILATIONS—	Continuea
State cita- tion	Title/Subject	Date adopted by State	Date ap- proved by EPA	FEDERAL REG- ISTER citation	52.1020	
138	Reasonably Available Control Technology For Facilities That Emit Nitrogen Ox- ides.	8/3/94	December 26, 1995	60 FR 66755	(c)(41)	Affects sources only in Oxford, Franklin, Somerset, Piscataquis, Penobscot, Washington, Aroostook, Hancock and Waldo Counties (excepted portions of rule include Sections 1.A.1. and 3.B.).
138	NO _X RACT	8/3/94	9/9/02	67 FR 57154	(c)(46)	Affects sources in York, Cumberland, Sagadahoc, Androscoggin, Kennebec, Lincoln, and Knox counties.
138	NO _x RACT	5/18/95 & 2/16/96	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _X RACT for FPL Energy's (formerly Central Maine Power) W.F. Wyman Station.
138	NO _x RACT	6/16/95 & 6/12/96	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _X RACT for Tree Free Fiber Company, LLC. (formerly Statler Tis- sue).
138	NO _x RACT	8/23/95 & 3/10/97	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _x RACT for Pioneer Plastics Corporation.
138	NO _x RACT	11/15/95	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _X RACT for Scott Paper Company.
138	NO _x RACT	1/18/96	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _X RACT for Chinet Company.
138	NO _X RACT	2/7/96	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _x RACT for FMC Corporation—Food from Ingredients Division.
138	NO _X RACT	6/5/96 & 3/5/97	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _X FR RACT for Dragon Products Company, Inc.
138	NO _X RACT	6/12/96	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _X RACT for S.D. Warren Company.
138	NO _x RACT	10/16/96	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _X RACT for Mid-Maine Waste Action Corporation.
138	NO _X RACT	10/21/96 & 7/25/97	9/9/92	67 FR 57154	(c)(47)	Case-specific NO _X RACT for Portsmouth Naval Ship-yard.
138	NO _x RACT	11/12/96	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _x RACT for Maine Energy Recovery Company.
139	Transportation Conformity.	9/19/07	2/08/08	73 FR 7465	(c) 64.	
141	Conformity of Gen- eral Federal Ac- tions.	9/11/96	9/23/97	62 FR 49611	(c)(44)	"Chapter 141: Conformity of General Federal Actions".
141	Conformity of Gen- eral Federal Ac- tions.	4/19/07	2/20/08	73 FR 9203	(c)(63)	Amendment to incorporate new fine particulate matter provisions.
145 148	NO _x Control Program Emissions from Smaller-Scale Electric Generating Resources.	6/21/01 7/15/04	4/10/05 5/26/05	70 FR 11882 70 FR 30376	(c)(56) (c)(55).	, , , , , , , , , , , , , , , , , , , ,
151	Architectural and In- dustrial Mainte- nance (AIM) Coat- ings.	10/06/05	3/17/06	71 FR 13767	(c)(59).	
152	Control of Emissions of Volatile Organic Compounds from Consumer Products.	8/19/04	10/24/05	70 FR 61384	(c)(57).	
153	Mobile Equipment Repair and Refin- ishing.	2/5/04	5/26/05	70 FR 30369(c)(54).		

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TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS—Continued

State cita- tion	Title/Subject	Date adopted by State	Date ap- proved by EPA	FEDERAL REG- ISTER citation	52.1020	
155	Portable Fuel Container Spillage Control.	6/3/04	2/7/05	70 FR 6354	(c)(53)	All of Chapter 155 is approved with the exception of the word "or" in Subsection 7C which Maine did not submit as part of the SIP revision.
"Vehicle I/M".	Vehicle Inspection and Maintenance.	7/9/98	1/10/01	66 FR 1875	(c)(48)	Maine Motor Vehicle Inspection Manual," revised in 1998, pages 1–12 through 1–14, and page 2–14, D.1.g. Also, Authorizing legislation effective July 9, 1998 and entitled L.D. 2223, "An Act to Reduce Air Pollution from Motor Vehicles and to Meet Requirements of the Federal Clean Air Act."

NOTE. 1. The regulations are effective statewide unless stated otherwise in comments section.

(Secs. 110(a) and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7410(a) and 7601(a))) [50 FR 3336, Jan. 24, 1985]

EDITORIAL NOTE: For Federal Register citations affecting \$52.1031, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§52.1033 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures for meeting all of the requirements of 40 CFR 51.302 or 51.306 for the protection of visibility in mandatory class I Federal areas.

(b) [Reserved]

(c) Long-term strategy. The provisions of §52.29 are hereby incorporated into the applicable plan for the State of Maine.

[52 FR 45138, Nov. 24, 1987, as amended at 58 FR 15431, Mar. 23, 1993]

§52.1034 Stack height review.

The State of Maine has declared to the satisfaction of EPA that no existing emission limitations have been affected by stack height credits greater than good engineering practice or any other prohibited dispersion techniques as defined in EPA's stack height regulations as revised on July 8, 1985. Such declarations were submitted to EPA on December 17, 1985; May 30, 1986; October 2, 20, and 24, 1986; August 6, 1987; September 8 and 30, 1988.

[54 FR 8190, Feb. 27, 1989]

§ 52.1035 Requirements for state implementation plan revisions relating to new motor vehicles.

Maine must comply with the requirements of §51.120.

[60 FR 4737, Jan. 24, 1995]

§ 52.1036 Emission inventories.

(a) The Governor's designee for the State of Maine submitted 1990 base year emission inventories for the Knox and Lincoln Counties area, the Lewiston and Auburn area, the Portland area, and the Hancock and Waldo Counties area on July 25, 1995 as a revision to the State Implementation Plan (SIP). An amendment to the 1990 base year emission inventory for the Portland area was submitted on June 9, 2005. The 1990 base year emission inventory requirement of section 182(a)(1) of the Clean Air Act, as amended in 1990, has been satisfied for these areas.

(b) The inventory is for the ozone precursors which are volatile organic compounds, nitrogen oxides, and carbon monoxide. The inventory covers point, area, non-road mobile, on-road mobile, and biogenic sources.